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Dated: October 29, 2008

Signature:

(William A. Di Bianca)

EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-437 CPCPCPCPCPCP I CON II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :
: Errico et al. :
: Application No.: 10/663,487 : Group Art Unit: 3738
: Filed: September 16, 2003 : Examiner: B. E.
: Pellegrino
: For: INTERVERTEBRAL SPACER DEVICE :
: HAVING SIMULTANEOUSLY ENGAGEABLE :
: ANGLED PERIMETERS FOR :
: MANIPULATION USING A SURGICAL :
: TOOLS :

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated May 29, 2008, finally rejecting claims 1-19, please amend the above-identified U.S. patent application as follows: